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| CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. § 1.8 | |
| I hereby certify that this correspondence is being transmitted to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attn: Examiner Brian A. Whiteman, GAU 1635, facsimile number (571) 273-0784 on the date below: | |
| November 2, 2006 Date | Steven E. Highlander |

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
William Wold *et al.*

Group Art Unit: 1635

Serial No.: 10/810,063

Examiner: Brian A. Whiteman

Filed: 3/26/2004

Atty. Dkt. No.: INGN:106US

For: Adenovirus Replication-Competent Vectors
Expressing TrAIL

DECLARATION OF JOSEPH E. ZAHNER, PhD, UNDER 37 C.F.R. §1.132

I, Joseph E. Zahner, PhD, hereby declare as follows:

1. I am a Legal Resident of the United States residing at 3646 Dover Place, St. Louis, Missouri, 63116, USA.

2. I currently hold the position of Director of the Office of Innovation and Intellectual Property at St. Louis University.

3. I understand that the Examiner has requested a declaration indicating that the above referenced patent application and U.S. Patent Application 11/057,710, were at the time the invention was made were commonly owned by St. Louis University or subject to an obligation of assignment to St. Louis University.

4. I hereby declare that United States Patent Application 10/810,063 and United States Patent Application 11/057,710 were at the time the inventions were made, commonly owned by St. Louis University or subject to an obligation of assignment to St. Louis University.

5. The inventors of United States Patent Application, 10/810,063 are William Wold, Ann Tollefson and Baoling Ying. At the time the invention was made, there was an obligation to

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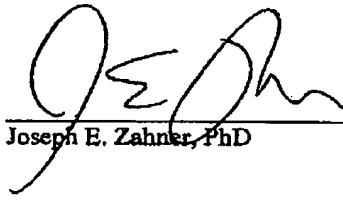
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assign the ownership of this invention to St. Louis University. The inventors of United States Patent Application 11/057,710 are William Wold, Karoly Toth and Maria Thomas. At the time the invention was made, there was also an obligation to assign the ownership of this invention to St. Louis University.

6. I hereby declare that all statements made by my own knowledge are true and all statements made on information and belief are believed to be true and further that statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment under § 100 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

11/2/06
Date


Joseph E. Zahner, PhD